

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

DANA NICHOLS,  
Plaintiff,

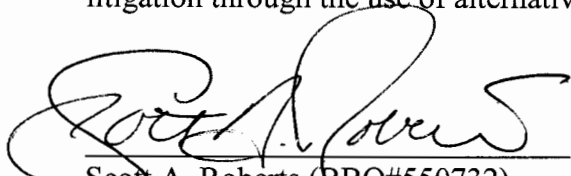
vs.

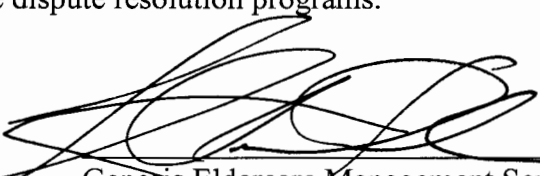
Civil Action No. 04-12015-PBS

GENESIS ELDERCARE  
MANAGEMENT SERVICES, INC.,  
Defendant

**DEFENDANT'S CERTIFICATION OF  
COMPLIANCE WITH LOCAL RULE 16.1(D)(3)**

Pursuant to Local Rule 16.1(D)(3), the undersigned counsel and authorized representative of Genesis Eldercare Management Services, Inc. certify that they have conferred with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of the litigation, and to consider the resolution of the litigation through the use of alternative dispute resolution programs.

  
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Scott A. Roberts (BBO#550732)  
SULLIVAN WEINSTEIN & MCQUAY  
Two Park Plaza, Suite 610  
Boston, MA 02116-3902  
(617) 348-4300

  
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Genesis Eldercare Management Service, Inc.  
By: Lisa C. Holahan

Dated: November 7, 2004